

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

CHARLES MOHR,

Plaintiff,

v.

JOSH CARTER,

Defendant.

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No. 1:23-cv-00190-JAR

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Josh Carter’s Motion to Dismiss. ECF No. 17. Defendant submitted his Motion to Dismiss and Memorandum in Support (ECF No. 18) on September 17, 2024. Defendant contends that after Plaintiff Charles Mohr filed this case, he was released from the Western Regional Diagnostic and Correctional Center (“WRDCC”) but has not yet informed the Court or the Defendant of his current address. Defendant argues that this case should be dismissed because Plaintiff has failed to inform the court of his current address in violation of Local Rule 2.06(B) and has otherwise failed to prosecute the case.

Plaintiff first filed this case on October 10, 2023. ECF No. 1. Plaintiff subsequently provided two notices of change of address, the first on November 20, 2023, (ECF No. 4) and the second on December 27, 2023 (ECF No. 6). On April 11, 2024, several Orders of the Court that were sent to Plaintiff’s address of record were returned as undeliverable. Plaintiff has not provided any additional notice of his change of address since that time.

On September 19, 2024, after conducting a search of public records, the Court issued an Order to Show Cause, which directed the Clerk of Court to mail several filings, including the Motion to Dismiss and the Order to Show Cause, to an address formerly associated with Plaintiff

in Steele, Missouri. ECF No. 19. The Order permitted Plaintiff twenty-one (21) days, or until October 10, 2024, to respond to the Order and provide the Court with an updated mailing address or risk dismissal of his case. Plaintiff's time to respond to the Order has passed without Plaintiff having filed any additional information with the Court.

Local Rule 2.06(B) provides that:

Every self-represented party shall promptly notify the Clerk and all other parties to the proceedings of any change in his or her address and telephone number. If any mail to a self-represented plaintiff or petitioner is returned to the Court without a forwarding address and the self-represented plaintiff or petitioner does not notify the Court of the change of address within thirty (30) days, the Court may, without further notice, dismiss the action without prejudice.

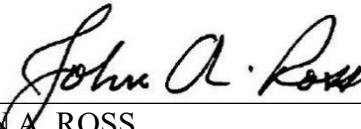
Because Plaintiff has failed to provide notice to the Court or Defendant of his updated address after mail sent to him was returned as undeliverable over six months ago, in violation of Local Rule 2.06(B), the Court will dismiss this case with prejudice. *See Dennis v. Smith*, No. 4:18-cv-00821-AGF, 2019 WL 5550540 (E.D. Mo. Oct. 28, 2019) (dismissing case without prejudice for plaintiff's failure to provide updated address per E.D. Mo. L.R. 2.06(B)).

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Josh Carter's Motion to Dismiss is **GRANTED**. ECF No. 17. All of Plaintiff's claims against Defendant will be dismissed without prejudice.

A separate Order of Dismissal shall accompany this Order.

Dated this 6th day of November, 2024.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE